



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW STAFF REPORT

A. Application Information

RIO CRA

Applicant:

Martin County Board of County Commissioners
2401 SE Monterey Road
Stuart, FL 34996

Represented By:

Nicki van Vonno, AICP
Martin County Growth Management Director

Property Owners:	Multiple
Planner in charge:	Irene A. Szedlmayer, AICP
Growth Management Director:	Nicki van Vonno, AICP
Project Number:	CPA 19-23
Application Received:	03/26/2019
Date of Staff Report:	09/26/2019
LPA Meeting Date:	10/03/2019
BCC Meeting Date:	12/17/2019

B. Project description and analysis

1. Introduction

This application involves the Rio Community Redevelopment Area (CRA) which measures approximately 542 acres. The Rio CRA is located in the northeast section of Martin County. See Figure 1. The Rio CRA is a waterfront community, bordered on the south by the St. Lucie River. To the north is the FEC Railroad. Rio borders the City of Stuart on the west and shares a small border with Sewell's Point on the east. See Figure 1.

Currently, 22 different zoning districts are in place in the Rio CRA's 542 acres:

1. R-1 (Single Family Residential)
2. R-1A (Single Family Residential)
3. R-2 (Single Family Residential)
4. R-2B (Single Family Residential)
5. R-3 (Multi Family Residential)
6. R-3A (Liberal Multi Family)

7. R-T (Mobile Home Subdivision)
8. RS-6 (Medium Density Residential)
9. HR-2 (Multi Family Residential)
10. RS-3 (Single Family Residential)
11. RE-1/2A (Residential Estate Density, ½ acre)
12. B-1 (Business)
13. B-2 (Business Wholesale)
14. COR-1 (Commercial Office/Residential)
15. LC (Limited Commercial)
16. GC (General Commercial)
17. LI (Limited Industrial)
18. PUD-R
19. PS (Public Service)
20. PS-2 (Public Service-2)

Additionally, the Rio CRA has four separate zoning overlay districts:

1. Western Zoning Overlay
2. Town Center Zoning Overlay
3. Industrial Zoning Overlay
4. Eastern Zoning Overlay.

See Figures 2 and 3.

The request is to amend the Martin County Zoning Atlas to replace 17 of the 22 zoning districts with the Rio Community Redevelopment Zoning District and the eliminate the four zoning overlays.

The zoning districts that implement the Institutional future land use designations (PS and PS-2), the PUD district for Beacon Hills (PUD-R), and the residential zoning districts in Langford Landing (RS-3 and RE-1/2 acre) will remain in place and are not affected by the requested amendment of the Zoning Atlas

The permitted uses and development standards for the Rio Redevelopment Zoning District are set-forth in Article 12, Redevelopment Code, Division 1, General, and Division 3, Rio Community Redevelopment Code, LDR. The permitted uses and development standards vary depending on the zoning subdistrict. Nine zoning subdistricts are proposed for the Rio CRA-- Core, Corridor, General, Waterfront, Industrial, Mobile Home, Multifamily, Detached 1 and Detached 2. The Regulating Plan maps the zoning subdistricts.

Figure 1. Location Map

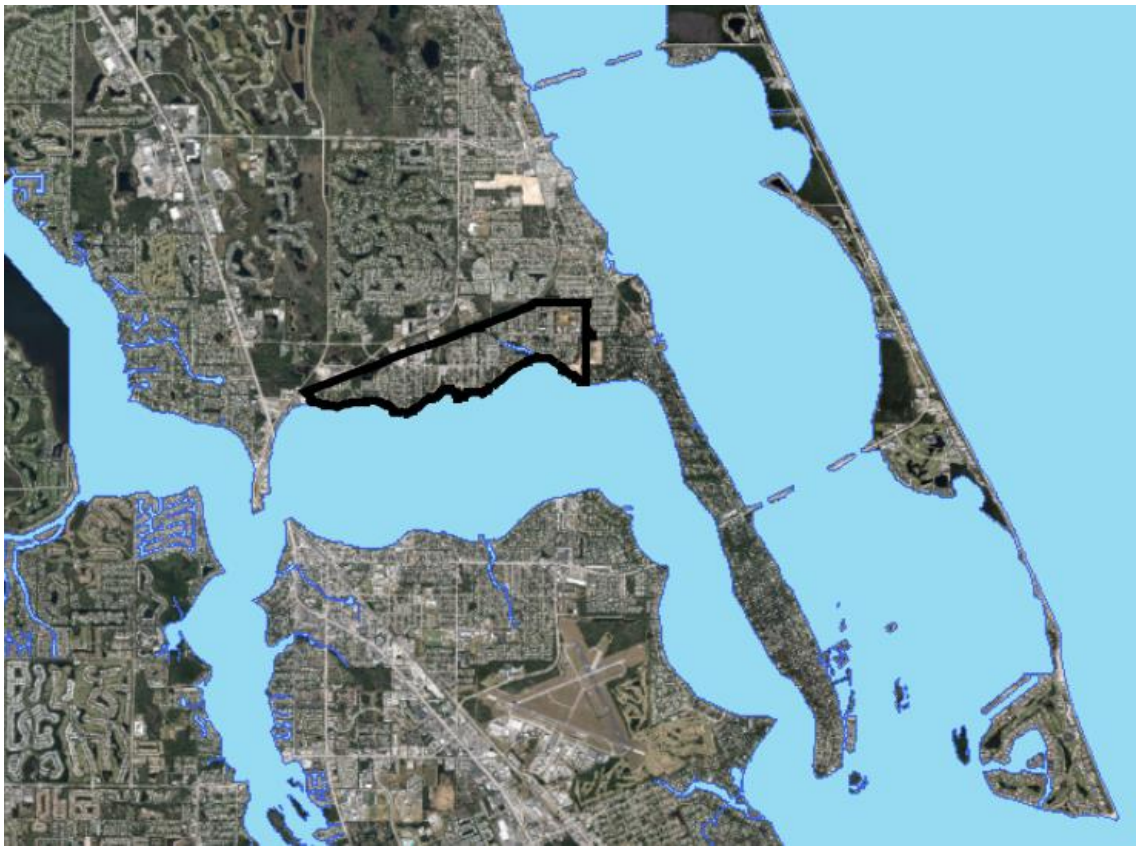


Figure 2. Current Zoning Atlas for the RIO CRA



Figure 3. RIO CRA Zoning Overlays

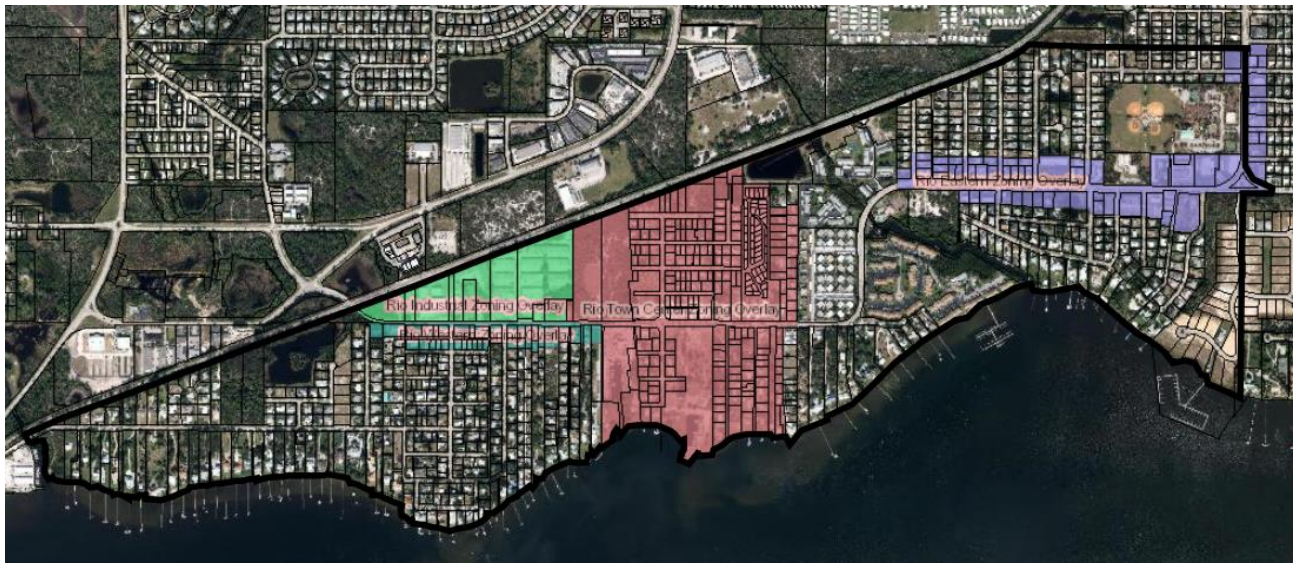


Figure 4. Proposed Zoning Atlas for the RIO CRA

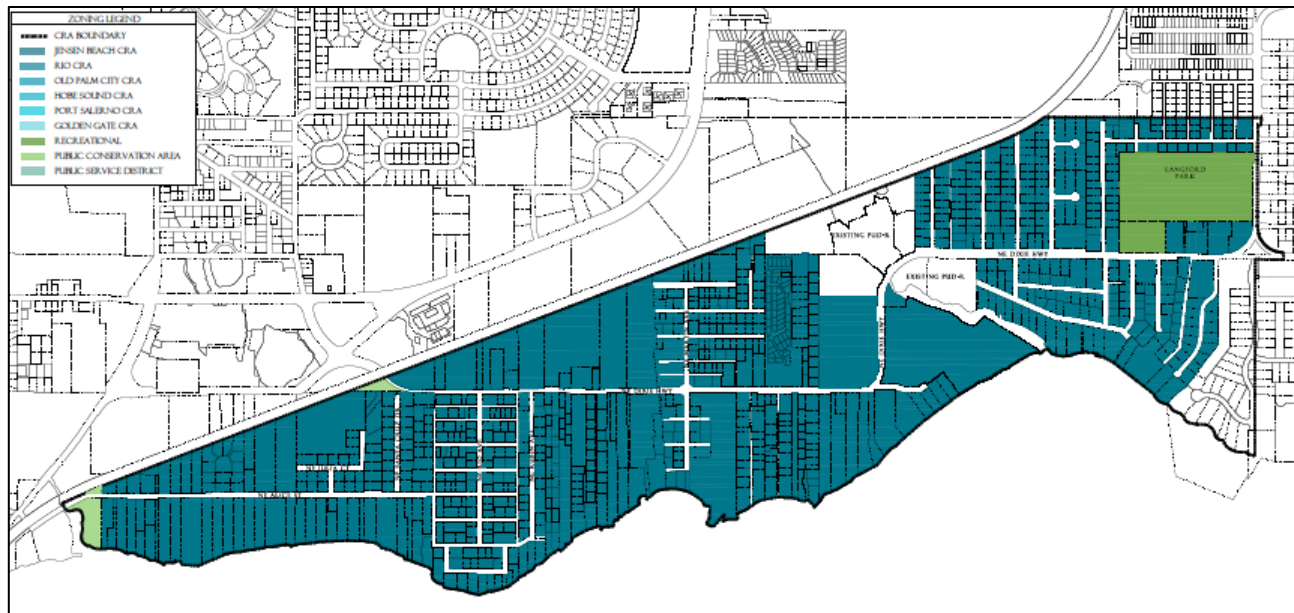
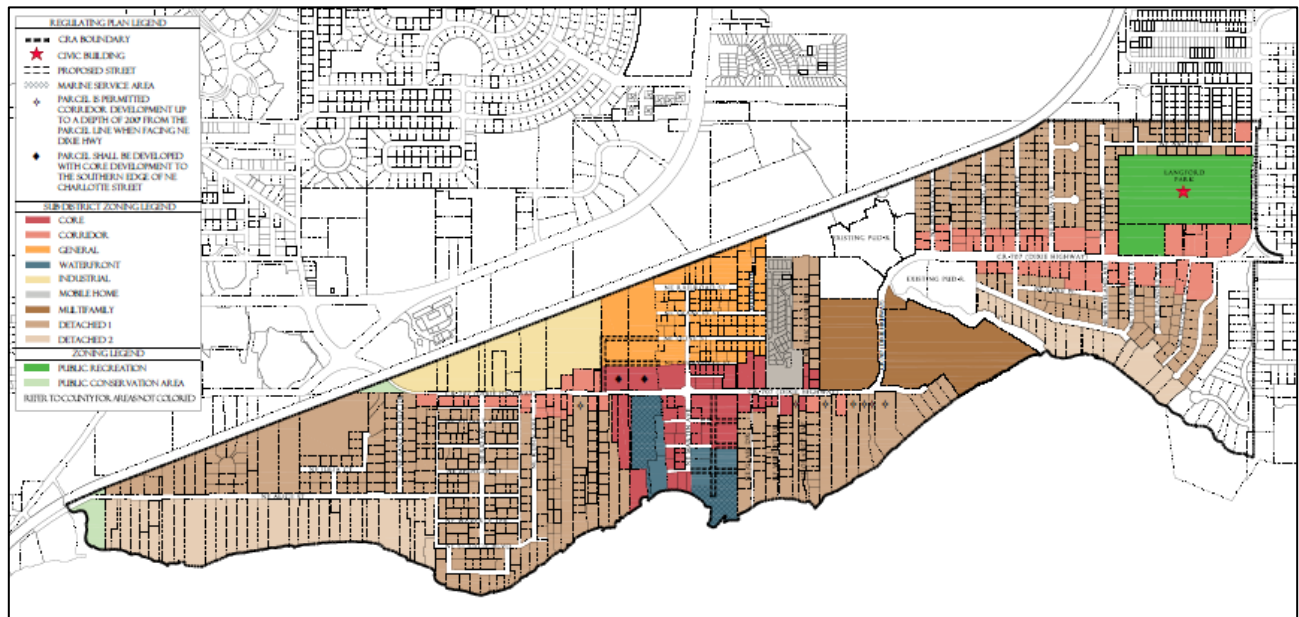
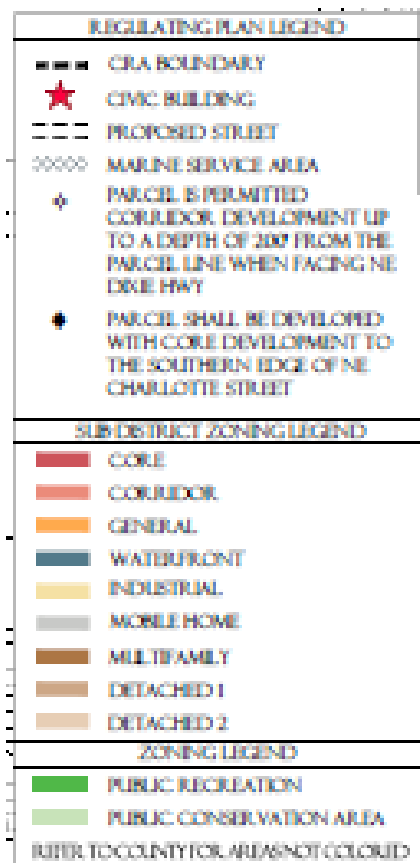


Figure 5. Proposed Regulating Plan



Enlarged Legend for Figure 5:



2. Description of the Rio Subdistricts

The Rio Redevelopment Zoning District will have nine Subdistricts. The subdistricts are described as follows, in Article 12, Division 1:

CORE: The Core Subdistrict is a pedestrian-oriented center for surrounding neighborhoods and the entire CRA. These are centers of dining, shopping, housing, and entertainment, with shaded sidewalks, large windows, intimate pedestrian spaces, outdoor dining, and richly detailed building facades. A broad mix of uses is encouraged in the Core Subdistrict.

GENERAL: The General Subdistrict offers a wide variety of housing, civic spaces, and pedestrian-oriented businesses. The General Subdistrict also fosters a mix of uses but is more residential in scale and character.

WATERFRONT: The Waterfront Subdistrict is defined by marinas and working waterfronts. In some Redevelopment Zoning Districts, the Waterfront Subdistrict may also promote a mixed-use waterfront environment with restaurants, entertainment, resort and residential uses.

CORRIDOR: The Corridor Subdistrict is intended to extend the pedestrian-oriented building types, frontages and streetscapes along a major roadway.

INDUSTRIAL: The Industrial Subdistrict identifies areas where industrial uses are permitted and encouraged.

MULTIFAMILY: The MultiFamily Subdistrict allows for denser and more varied residential buildings.

DETACHED: The Detached Subdistrict is predominately single family homes with front yards and walkable sidewalks. (Detached 1 and 2 differ regarding minimum lot area and open space.)

MOBILE HOME: The Mobile Home Subdistrict identifies areas where mobile homes are permitted.

The highlights of the proposed Rio Community Redevelopment Code are summarized in the staff report for the companion agenda item regarding the proposed amendment of the Land Development Regulations to create Article 12, Division 3.

3. Adjacent Zoning Districts (See Figure 2)

Due to the natural boundary created by the St. Lucie River to the south and the 100 year old FEC Railroad right-of-way to the north, adjacent zoning districts to the Rio CRA are limited. Rio borders the City of Stuart on the west and shares a small border with Sewell's Point on the east.

The R-2, R-3A, B-1 and RS-3 zoning districts located outside the Rio CRA to the east and to the north, east of the railroad, are the same zoning districts located within the Rio CRA.

The permitted uses and development standards for the various zoning subdistricts proposed for the Rio CRA are consistent with the permitted uses and development standards in the existing zoning districts. Therefore, the proposed Rio Redevelopment Zoning District, and the proposed zoning subdistricts are compatible with the zoning adjacent to the Rio CRA. The proposed Rio Redevelopment Zoning District and the subdistricts should have no negative impact on nearby zoning districts. Nor should these nearby zoning districts negatively impact the proposed Rio Redevelopment Zoning District.

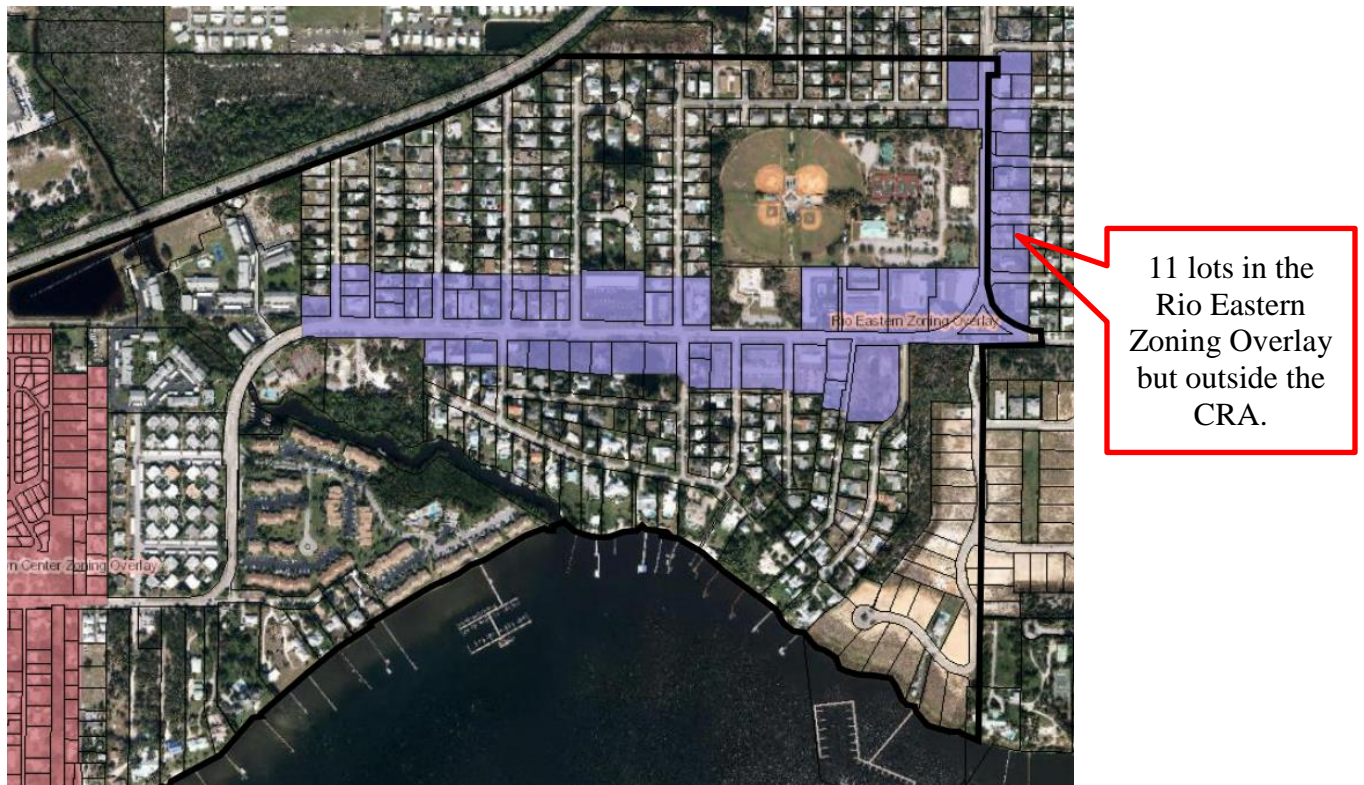
3. Rio Eastern Zoning Overlay

The Rio CRA presents a unique anomaly not found in another Martin County CRA. There are eleven lots totaling 4.27 acres located within the Rio Eastern Zoning Overlay but not located within the Rio CRA. See Figure 6. This circumstance results from the inclusion in Ordinance 624, adopted in 2002, of this text:

“NOTE: These District regulations (Table 2 and Figure 2, as well as Section 3.264.B through I) also apply to the following: Lots 1 and 2, South Jensen Heights 1st Addition; Tracts D, E, F, and H, South Jensen Heights 1st Addition; and Tracts A, B, and C, South Jensen Heights.”

To the best of staff’s knowledge, since that time those identified properties have been identified as within the Rio Eastern Zoning Overlay but never within the CRA.

Figure 6. Rio Eastern Zoning Overlay



It is important to emphasize that these eleven lots are in the Rio Eastern *Zoning Overlay*. They are not in the Rio Mixed-Use Future land Use Overlay. See Figures 7 and 8.

Fig. 7. Rio Eastern Zoning Overlay



Fig. 8. Mixed-Use Future Land Use Overlay



The amendment of the Future Land Use Map and the Zoning Atlas and the adoption of new LDR for Rio CRA presents the opportunity to resolve this issue. Staff intends to meet with the owners of these eleven properties and prepare a separate re-zoning application regarding them.

C. Standards for Amendments to the Zoning Atlas

The Martin County Land Development Regulations (LDR), Article 3, Section 3.2 E.1. provides the following “Standards for amendments to the Zoning Atlas.”

The Future Land Use Map of the CGMP (Comprehensive Growth Management Plan) establishes the optimum overall distribution of land uses. The CGMP also establishes a series of land use categories, which provide, among other things, overall density and intensity limits. The Future Land Use Map shall not be construed to mean that every parcel is guaranteed the maximum density and intensity possible

pursuant to the CGMP and these Land Development Regulations. All goals, objectives, and policies of the CGMP shall be considered when a proposed rezoning is considered. The County shall have the discretion to decide that the development allowed on any given parcel of land shall be more limited than the maximum allowable under the assigned Future Land Use Category; provided, however, that the County shall approve some development that is consistent with the CGMP, and the decision is fairly debatable or is supported by substantial, competent evidence depending on the fundamental nature of the proceeding. If upon reviewing a proposed rezoning request the County determines that the Future Land Use designation of the CGMP is inappropriate, the County may deny such rezoning request and initiate an appropriate amendment to the CGMP.

Pursuant to LDR Section 3.2.E., the following factors must be considered:

- a. Whether the proposed zoning amendment is consistent with all applicable provisions of the Comprehensive Plan.*

The Rio Redevelopment Zoning District and the Core, General, Waterfront, Corridor, Detached 1, Detached 2, Mobile Home and Industrial zoning subdistricts are consistent with all applicable provisions of the Comprehensive Plan.

- b. Whether the proposed zoning amendment is consistent with all applicable provisions of the LDR.*

Any development proposal, pursuant to the Rio Redevelopment Zoning District, will be required to comply with all applicable LDRs including uses, density, setbacks, height, open-space, wetlands, uplands, landscaping, stormwater, etc. The Rio Redevelopment Zoning District Core, General, Waterfront, Corridor, Detached 1, Detached 2, Mobile Home and Industrial zoning subdistricts are consistent with all applicable provisions of the Comprehensive Plan.

- c. Whether the proposed district amendment is compatible with the character of the existing land uses in the adjacent and surrounding area and the peculiar suitability of the property for the proposed zoning use.*

The Rio Redevelopment Zoning Code was developed expressly for the land to which it will apply—the Rio CRA. It is compatible with the existing land uses within the Rio CRA as well as those in adjacent and surrounding areas.

- d. Whether and to what extent there are documented changed conditions in the area.*

The analysis required for this section is similar to the analysis required pursuant to CGMP Section 1.11.C.(1) when considering the proposed amendment to the Future Land Use Map. The amendment of the Zoning Atlas will not substantially change the land uses or intensity of development permitted. Rather, the intent is to modify the regulatory framework in order to simplify interpretation and implementation for property owners, developers and County staff and provide

greater flexibility regarding permitted uses. The intent is to realize more efficiently and effectively the longstanding vision for the CRAs as represented in the Redevelopment Plans adopted in the late 1990s and early 2000s. Therefore, whether or not there are documented changed conditions in the area does not seem to be a pertinent factor. Because the Rio CRA is an area that has been identified as an area in need of redevelopment, the lack of substantial change may offer support for the proposed new zoning.

e. Whether and to what extent the proposed amendment would result in demands on public facilities.

The land subject to the re-zoning is located within the Primary Urban Service District. Therefore, pursuant to CGMP Objective 4.7A., the full range of public facilities and services at the adopted Level of Service are to be provided or programmed to be provided. The maximum residential density allowed within the proposed Core, Corridor and General zoning subdistricts is the same as that permitted pursuant to the current Rio Mixed-Use Future Land Use Overlay and the land area included within these subdistricts is the same land as is located within the Mixed-Use Future land Use overlay. Therefore, the amendment of the Zoning Atlas will not create demand on public facilities that is not anticipated by the current zoning. When a proposed site plan is reviewed, Comprehensive Plan policies and the Martin County Land Development Regulations ensure that present or planned public facilities and services are capable of meeting and maintaining the adopted LOS standards for the proposed development. Additionally, the County Impact Fee program is designed to mitigate such impacts and ensure development pays for itself.

f. Whether and to what extent the proposed amendment would result in a logical, timely and orderly development pattern which conserves the value of existing development and is an appropriate use of the County's resources.

The proposed new zoning district is designed to encourage infill development and redevelopment and such infill development and redevelopment would be logical, timely and orderly, would conserve or improve the value of existing development, and is an appropriate use of County resources. Additionally, by providing for residential development within the CRA, it may be possible to help extend the life of the boundary of the Primary Urban Service District.

g. Consideration of the facts presented at the public hearings.

Whatever facts are presented at the public hearing on this proposed amendment of the Zoning Atlas should be taken into account in the decision-making. The hearing provides the public an opportunity to participate in the review and decision-making process.

D. Staff Recommendation

Staff recommends approval of the proposed amendment of the Martin County Zoning Atlas regarding the Rio CRA, as illustrated in Figure 4.

The specific findings and conclusion of each county department related to this request are identified in Sections F through T of this report. The rezoning process does not include review of a site plan. Therefore, departments related to site plan review are not included in this rezoning staff report. The current review status for each agency is as follows:

Division or Department	Reviewer	Phone	Assessment
Comprehensive Plan	Irene Szedlmayer	288-5931	Comply
County Attorney	Krista Storey	288-5443	Review Ongoing
Adequate Public Facilities	Irene Szedlmayer	288-5931	Exempt

The choice of the most appropriate zoning district for the subject property is a policy decision the Local Planning Agency (LPA) and the Board of County Commissioners (BCC) are asked to consider based on the “standards for amendments to the zoning atlas” provided in Section 3.2 E.2., Land Development Regulations (LDR), Martin County Code (MCC).

E. Review Board Action

A review and recommendation from the Local Planning Agency (LPA) is required on this application. Final action is required by the Board of County Commissioners (BCC). Both the LPA and the BCC meetings must be advertised public hearings.

F. Location and Site Information

Location: Located between the FEC railroad and the north shore of the St. Lucie River, east of Federal Highway and west of Sewell’s Point.

Parcel numbers: numerous

Existing zoning: 22 different zoning districts and 4 zoning overlays. See pages 1 and 2 of this report.

Future Land Use: Estate Density (two units per acre), Low Density, Medium Density, Mobile Home Density, Commercial Office/Residential, Limited Commercial, and General Commercial and the Rio Industrial, Western Town Center and Eastern Mixed-Use Future Land Use Overlays.

Commission District: 1

Community Redevelopment Area: Rio CRA

Municipal Service Taxing Unit:
Planning Area:

District 1 MSTU
North County

G. Determination of compliance with Comprehensive Growth Management Plan requirements - Growth Management Department

Findings of Compliance:

The Growth Management Department Comprehensive Planning Division staff has reviewed the application and finds it in compliance with the applicable regulations. There are no unresolved Comprehensive Growth Management Plan requirements issues associated with this application.

H. Determination of compliance with land use, site design standards, zoning, and procedural requirements - Growth Management Department

Findings of Compliance:

The Growth Management Department Comprehensive Planning Division staff has reviewed the application and finds it in compliance with the applicable regulations. There are no unresolved land use, site design standards, zoning, or procedural requirements issues associated with this application.

Changes to the zoning atlas do not authorize any development activity. Criteria associated with this area of review are applied in conjunction with site plan review processes. Any specific department issues will be addressed at such time as development of the subject site is proposed.

I. Attachments

Article 12, Redevelopment Code, Division 1, General, and Division 3, Rio Community Redevelopment Code, are included in the agenda materials for the companion agenda item regarding the proposed amendment to the LDR to create Article 12, Division 3.